

## **REMARKS**

Reconsideration and allowance of the application and withdrawal of the rejections of the claims are respectfully requested in view of the following remarks.

Claims 1-9 remain in the application. Claims 1 and 9 are independent.

### **I. Rejections Under 35 U.S.C. § 102(b)**

Claims 1-9 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Canada et al. (U.S. 6,301,514, hereinafter "Canada"). This rejection is respectfully traversed as Canada fails to disclose all the recited features of the claimed invention.

An exemplary embodiment of the present invention provides an arrangement and system which includes at least first and second applications of a technical process. According to the exemplary embodiment, each appliance is one of a process measurement device and a process actuator. As described, for example, at the second full paragraph on page 2 of the specification, two different appliances can directly communicate to diagnose each other's operation, without involving a central process control point. When communication by either appliance with the central control point is desired, a common transmitter/receiver that is shared by the appliances can be used.

With reference to Applicants' Figure 1, a second appliance 2b can be a valve that has been requested to close. A first valve 2a can be monitored to determine whether a "zero" flow condition exists following the command to close valve 2b.

Information at valve 2a can be fed to valve 2b, as diagnostic information, without either valve communicating with the central process control point 4.

However, if either or both of valves 2a and 2b are to communicate with the central point 4, such communication can be by way of a common transmitter/receiver 3.

As such, overall communication efficiency can be realized with only a single transmitter/receiver (as opposed to having a dedicated transmitter/receiver for each appliance as in the prior art Figure 2 illustration).

Such features are encompassed by independent claims 1 and 9, and are not disclosed by Canada.

Canada fails to disclose Applicants' claim 1 combination which recites, among other features, an arrangement wherein the first appliance communicates with the second appliance to pass diagnostic information relating to operation of the second appliance to the second appliance. Claim 1 also recites a transmitter/receiver connected to the second appliance, for data interchange with a central point of the technical process, and for calling up data from the second appliance to transmit to the central point. Similar features are recited in independent claim 9. Claim 9 also recites a common transmitter/receiver for multiple appliances of a technical process

With reference to Figure 1, Canada discloses a wireless monitoring system in which machine monitors 4a-4i are each respectively wirelessly connected to a repeater 8, which is in turn connected to a command station 6. The repeaters 8 function to facilitate communication between the machine monitors 4 and the command station 6 (see Column 6, lines 39-65, and Column 7, lines 2-9). The machine monitors 4 contain a sensor 408 for measuring desired machine characteristics (see Column 7, lines 20-34). Canada discloses that the machine characteristics measured by a machine monitor 4 are communicated wirelessly to a repeater 8, and the repeater 8 forwards the information to the communication station 6.

In rejecting the claimed invention, the Office alleged that the machine monitors 4 of Canada correspond to the first appliance as recited in claims 1 and 9, that the repeaters 8 of Canada correspond to the second appliance as recited in claims 1 and 9, and that the command station 6 of Canada corresponds to the central point as recited in claims 1 and 9. This assertion is not supportable for the following reasons.

Claims 1 and 9 recite the appliances (first and second appliances) are each one of a process measurement device and a process actuator. At no point does Canada disclose or suggest that the repeaters 8 are a process measurement device or a process actuator in a technical process. The repeaters 8 of Canada are merely communication interfaces between the machine monitors 4 and the communication station 6. Accordingly, the repeaters 8 of Canada do not constitute either a process measurement device or a process actuator in a technical process.

Furthermore, claims 1 and 9 recite that the first appliance communicates with the second appliance to pass diagnostic information relating to operation of the second appliance to the second appliance. On the contrary, Canada discloses that the machine characteristics measured by a machine monitor 4 are communicated wirelessly to a repeater 8, and that the repeater 8 forwards the communicated machine characteristics of the machine monitor 4 to the communication station 6.

The machine characteristics measured by the machine monitors 4 do not correspond to diagnostic information relating to the operation of the repeater 8.

Accordingly, Applicants respectfully submit that the system of Canada does not include first and second appliances as recited in Applicants' claims 1 and 9. Therefore, Applicants respectfully submit that claims 1 and 9 are patentable over Canada, since Canada does not disclose or suggest all the recited features of claims 1 and 9. The remaining claims which depend from claim 1 and are also allowable.

## **II. Conclusion**

In view of the foregoing remarks, it is respectfully submitted that the present application is clearly in condition for allowance. Accordingly, a favorable examination and consideration of the instant application are respectfully requested.

If, after reviewing this response, the Examiner believes there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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